



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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MAY 16 2013

Ref: 8P-AR

The Honorable Steve Daines
U.S. House of Representatives
Washington, D.C. 20515-2601

Dear Congressman Daines:

Thank you for your letter dated April 15, 2013, regarding the State of Montana's response to the U.S. Environmental Protection Agency's (EPA) proposal to list Yellowstone County as a nonattainment area for the 2010 one-hour sulfur dioxide (SO₂) National Ambient Air Quality Standards. I appreciate your interest in this issue.

On April 4, 2013, the EPA received comments on our proposal from the State of Montana. Please be assured that we will thoroughly review the state's, and other Montana stakeholders', comments as we move toward making final designation determinations in June 2013. I am aware of the specific circumstances that are presented in the case of Yellowstone County and want to emphasize that we view the designation process as a weighty responsibility. The EPA understands the importance of representative and reliable ambient air monitoring data for the designations process and of designating as nonattainment only those areas that we must as required by the Clean Air Act.

Again, thank you for your letter. We will keep your office informed as this process moves forward. If you have further questions, please contact me; or your staff may wish to contact Sandy Fells, our Regional Congressional Liaison, at (303) 312-6604 or fells.sandy@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Howard M. Cantor", with a large, stylized flourish extending from the end of the signature.

Howard M. Cantor
Acting Regional Administrator

Congress of the United States
House of Representatives
Washington, DC 20515-2600

Rec'd in 80C 5/2/13

April 15, 2013

Mr. Howard Cantor
Acting Regional Administrator
United States Environmental Protection Agency
Region VIII, 8P-AR
1595 Wynkoop St.
Denver, CO 80202-1129
RE: Montana Sulfur Dioxide (SO₂) NAAQS Designations
Docket ID Number EPA-HQ-OAR-2012-0233

Dear Mr. Cantor,

I am writing to express my strong support for the state of Montana in assigning an "unclassifiable" designation for the new sulfur dioxide (SO₂) National Ambient Air Quality Standard (NAAQS) in Yellowstone County until a full set of representative and reliable data can be compiled and reviewed.

As you know, Yellowstone County is home to two power plants, three oil refineries, a sugar beet plant and a sulfur-recovery plant. These industries employ thousands of Montanans who depend on a healthy local economy and regulatory certainty.

In 2010, the EPA promulgated a new, stricter short-term NAAQS for SO₂. Between 2009 and 2011, Yellowstone County ambient air monitoring sites recorded data on sulfur dioxide levels, and in all but one location, the data clearly met the new SO₂ NAAQS. The location with some problematic results was the Coburn Road monitor, located 2 ¼ miles east of downtown Billings atop Sacrifice Cliff. I believe this monitoring site has provided non-representative data that should be reevaluated and reconsidered.

During the year 2010, several factors contributed to this variance in data. Furthermore, the Montana Department of Environmental Quality has stated that in 2009, 2011 and 2012 "the reports represented similar and consistent operating conditions that reflect future operations and clearly establish a trend maintaining the NAAQS"

I support the comments and recommendation by the Montana Governor's office dated April 3, 2013 for an "unclassifiable" designation for Yellowstone County. Please feel free to contact me with any comments or concerns.

Sincerely,



Steve Daines
Member of Congress

RS-13-000-5007